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VIEWS

LET'S LEAVE THE
MIDDLE AGES BEHIND.....by David J. Dawson

REVIEWS

MEDIEVALISM:
MR. LIPPMANN'S OLD HOME REMEDY
a review of Walter Lippmann's
Essays in the Public Philosophy.....by Judith Kroeger

JOAN KENNEDY TAYLOR, editor 50¢

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VIEWS

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Let's Leave the Middle Ages Behind

(On June 24, 1967, David J. Dawson, President of the Metropolitan Young Republican Club, opened the National Conference on Forced Service, in Washington, D.C., with the following address.)

This summer, the draft law was extended for four years. It might reasonably be asked: Isn't it too late to express opposition?

No. It is just the right time, for the draft is no little problem. It is not an isolated piece of legislation the repeal of which would have a purely military effect. The draft is entwined with the present-day notion of government. It lies at the heart of commonly held attitudes about the nature of the State and the citizen. It points to possibilities both domestic and foreign which may ultimately even endanger the United States as a free society. We will need all these four years--and very possibly more--to mount a full intellectual opposition to the draft in all its ramifications.

What are these ramifications which render the draft more than simply another political issue, such as the excesses of administrative agencies, the "war on poverty," the growing domination of education by the federal goverment, to name only a few? In essence, the draft epitomizes the injustice of all of these; it is the ultimate institution of tyranny, because it directly violates all the rights of man. As a result it, more than any other institution, begets tyranny.

I will start with the obvious. The draft makes it easy to go to war. Officials both of the military and of the Administration do not have to consider in any fundamental way whether or

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not they will have the manpower to back up their policies, and so they circumvent the consent process, and over and over again present the Congress and the citizenry with war situations which have gone beyond the point of no return. This kind of war has two consequences. First, any war tends to increase the war powers of the Executive. Secondly, a draft-inspired, draft-founded war sets up a circular situation. The war begets the need for a draft, the existence of the draft begets the opportunity to get into war.

Given enough time, a draft-oriented mentality will then appear, a mentality which we in this country are now adopting--a mentality, by the way, from which most of Europe never escaped. Representative L. Mendel Rivers, a staunch advocate of the draft, pointed out, in his opening remarks at the June 1966 Hearings of the House Committee on the Armed Services, that, "The draft has become a part of our way of life. With the exception of one brief period...the Nation has had a draft law since 1940. Thus, we have literally raised a generation of Americans under the Selective Service System." One can guess at the effect of this, particularly on the young. They have grown up with a sense that their persons do not belong to them. This has often led them to see themselves and others as natural resources, not as sovereign beings who have a right to the product of their life and labor. The result is a draft-oriented mentality, which might even be called a neo-serf mentality.

This mentality provides the foundation for a transformation of the society, a transformation already well under way. It is the replacement of the free society's system of freedoms and responsibilities with a feudalistic system of privileges

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and obligations. Less and less are men allowed to trade, to freely exchange. More and more they are obligated, and in return are granted privileges. Today, simply to be born a male in the United States is automatically to incur an ultimate six-year military obligation (two years on active duty, four years in the reserves). Acquiring an education is not something you choose to do for your own sake, it is something you are allowed to do for the sake of the nation.

Even so, an unprincipled man might say, what's the problem here? So what if a guy puts in a few years for his country? Then once it's done, a guy can live his own life. So what's the fuss about?

The fuss is about the fact that, once you violate the rights to life and liberty of the members of one group, there is no reason in principle why you may not violate anyone else's, or everyone else's. And that is coming. The draft serves as a precedent justifying the spread of forced service to areas and persons beyond the military. The 1966 Hearings contain pages of testimony justifying such a spread. The undefined ideal is democracy. It is wrong, the testifiers say, to force some young men into the military while millions of others get out of their obligation for reasons of health, education and immorality. It is wrong that the poor who cannot afford college or the unintelligent who cannot use a college education are drafted, while the rich and intelligent lie around college, oftentimes escaping their "obligation" altogether, or, if they do go in, going in under special auspices which save them the discomforts and dangers of combat. This (according to them) is plainly injustice. Their democratic solution? Force everyone. As General Hershey says, "You can't get more universal than

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I can." Senator Javits would force all young men who are not acceptable to the military to perform what he calls "sacrificial service" in the Peace Corps, in hospitals, in mental institutions, in poverty areas. Secretary of Labor Wirtz suggests the addition of girls to the manpower pool. These people take the draft-oriented mentality for granted: many proponents of universal service literally claim that the nation's young people are its natural resource.

The goal of universal national service has not yet been achieved in the United States, but it's not for lack of trying on the part of some government officials and legislators. No sooner had we gotten into World War I than there were serious proposals, notably the so-called Baruch Plan for the conscripting of labor. Another year of that war might well have seen conscript labor in the United States. In World War II, the enactment into law of some sort of program of universal forced service came very close--but curiously enough not at the beginning of the war, but rather after it was clear that Germany needed only a *coup de grâce*. One proposed bill which would have enabled a manpower director to force men into labor unions was supported by the C.I.O.; bills were introduced in Congress to draft nurses, to draft 4-F's into labor battalions, to freeze workers in their jobs, and of course to provide for various kinds of national service. Several of these came dangerously close to passing. In the Korean War, the draft of women was seriously considered. And now as the Vietnam war grows, so grow the proposals for some kind of forced service for as many as possible. To General Hershey, Secretary of Labor Wirtz and Senator Javits we can add a shamefully long list of congressmen, a past President (Dwight D. Eisenhower) and Secretary of Defense

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McNamara.

Right now, in broad terms, there are two principles of government being debated among the American people. The debate can be summarized in a question: Which is the more practical, compulsion or volition?

In this realm, the existence of the draft implicitly asserts the following: *FREE MEN ARE INCAPABLE OF VOLUNTARILY CHOOSING TO DEFEND THEMSELVES.* To put it another way, a free society cannot allow its citizens to be free when there is a war to be fought. A corollary to this is the bromide that dictatorships are better at fighting wars and, therefore, democracies must copy the methods of tyranny in order to defend themselves against tyranny. Notice what acceptance of these ideas means. That man cannot live as a free man, because a free society must inevitably fall before a tyrannical one. Since tyrannies exist, this means that man's natural condition must be under the rule of tyranny; that a free society is unnatural, because tyranny by its nature has greater strength, specifically a greater ability to wage war. This granting of superior efficacy to tyranny is not admitted. Instead it is maintained that freedom can only be protected by the imposition of a military obligation.

The advocacy of forced service rests on the following implicit or explicit assumptions:

With respect to man and the universe, it is in the nature of things and of man that he cannot live free.

With respect to how man knows, man is unable to choose what is best for him, he cannot have responsibilities (which are the products of choice)

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but rather must fulfill obligations imposed by the group. His choice should be limited to choosing how to best fulfill these obligations.

With respect to the nature of the good, the good is that which is in the national interest--which is what the Administration decides and the consensus ratifies.

With respect to man and his government, the rights of individual man must be subservient to group rights, compulsion is more practical than volition, freedom is a privilege earned by fulfilling obligations.

With respect to man and the marketplace, each man's labor is the group's natural resource rather than being that man's property for him to use as he chooses.

To oppose forced service is not merely a negative thing. That is not enough. In a way, men do not know how to defend themselves except by resorting to compulsion. It has always been so. The idea of power of the community, the so-called *posse comitatus*, goes back to the days of pre-history. In the freest society of all time, that of the United States, the notion was never completely put aside. Nine of the colonies that made up the original thirteen had the power to conscript on their books. It was used by these states without much success in the American Revolution. In the War of 1812, only the brevity of that war prevented the Congress from calling for some kind of military conscription. Both North and South conscripted in the Civil War. The history of conscription in this country from World War I on is well known. Against such a deep-seated institution there must be more than opposition. Some-

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thing positive must be proposed. How wide this positive advocacy must be is hinted at by the wideness of the assumptions behind the draft which I have just covered. Here are some of the questions which will require all our best intellectual effort if compulsion is to give way to volition. These questions grow out of the ramifications of the draft, they are part of its context and must be attended to if one is to convince the public that free men can in fact defend themselves.

1. What is a proper foreign policy for the government of a free society? It certainly should not be the responsibility for the entire world, nor should it be so limited as to allow tyrannies to range about doing just what they please.

2. What are the objective war powers necessary to the Executive? This was an area on which the Founding Fathers could not agree, and so they left the powers undesignated--with the result that there has been no effective limit to the expansion of the Executive in times of emergency. Quite obviously the Executive should not have the power to declare war at his whim; on the other hand, no effective counteraction to aggression can be taken if a committee must meet while the bombs are falling.

3. What are the standards for setting up treaty relationships with other governments, and by what procedure and in what relationship to domestic law? As it now stands, the President and the Senate may commit the nation to a future war, may supersede legislation, may violate the Constitution itself, all through a treaty. Yet there is a bona fide role for alliances, there is a need for objective relationships with other governments.

4. To what degree may the United States seek to

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protect its citizens abroad? As it now stands, a U.S. citizen may be imprisoned or may have his property seized or sabotaged by any petty dictatorship, often with hardly more than a protest from his government. On the other hand, it should not be the case that any citizen may, by his acts, commit U.S. forces to come to his rescue.

5. What are the characteristics of a fully volunteer professional armed force? Here is a vast area of ignorance. The traditions and practices of the past still weigh upon the military. What is the best way to train a soldier? What of our present system of military justice? Is it truly in accord with the rights of man? Would it be possible to base the whole armed force upon contract law? Really, how much would it cost to have a military which got its personnel on the open labor market? Just what operations, now military, could be turned over to civilian contractors? Would it be more advantageous to completely unify the services, as Canada has done?

6. What is the proper strategy for military forces whose only purpose is the defense of a social system? How can one train reserves, keep their training up to date, and have those reserves instantly available for reaction to surprise attack? Just as in economics the proper study is of a free market, not a planned economy; in terms of strategy, the proper study is defense, not conquest or aggression. By and large, only criminal strategy, that is, the strategy of aggression, has been exhaustively studied.

7. What is the proper relationship of a free society's government to governments which do not fundamentally recognize the nature of the rights of man? One cannot pretend that dictatorships do

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not exist, but that does not mean they should be granted the full sanction that one would grant a fellow free government. What limits, if any, might a government put upon its citizens with respect to trading with dictatorships?

8. What is it about the nature of a free society with a fully volunteer armed force which makes it *superior* in the ability to wage a defensive war? In the specifically military and forced conscription contexts, this is *the* question that must be answered. In the end, to answer this question thoroughly will require consideration of all the other question areas. As long as the military has the possibility of the draft to fall back on, it will not do the radically new thinking that will be necessary if the kind of armed force truly appropriate to a capitalistic system is ever to come into being. It is the granting of the opposite premise: the notion that somehow *totalitarian* systems are better at waging war, which lethally weakens virtually all of the present-day efforts by various groups and individuals to promote the establishment of a volunteer armed force. Bruce Chapman in his book *The Wrong Man in Uniform* makes some telling points against the draft, but also vitiates his argument, not only by conceding that a draft was necessary in World War II, but by declaring its necessity for future mass wars. [See "Argument from Obsolescence," by Lowell B. Wiltbank, *Persuasion*, May 1967.] He ends his book by asking for the compulsory registration of all young men to make them available in case of such an emergency. Professor Milton Friedman in the May 14th *New York Times Magazine* does a review of the economics of a volunteer force. He indicates how the draft weakens the armed forces militarily--and yet he gives it all away when he says, in relation to "total war": "If the military judgment is that,

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in such a contingency, there would be time and reason to expand the armed forces manifold, either universal military training to provide a trained reserve force, or stand-by provisions for conscription could be justified." A year ago the National Students Association came out with basically the same position. Positions such as these will hardly cause the military to do the wide-range re-thinking that will be necessary before we can see the establishment of a thoroughly freedom-oriented, defensive, volunteer armed force in a free society.

That thinking must be done by someone. These questions must one day be answered. And they must be answered not by assertions but by scholarly, intellectual, disciplined, thoroughly rigorous examinations which take their embodiment in speeches, articles, reports, studies and, above all, books. These questions deserve the highest intellectual attention, an attention commensurate with the gravity of the problem.

You might wonder, what gives me the confidence that these questions can now be answered? For that has been the assumption I have been making all along, even in the face of the fact that these questions have been around a long time and have not yet had a satisfactory answer. What makes things different today? Why is it that answers are more likely to be forthcoming now than they were in past decades?

To set the scene for my answer, I refer you to the Middle Ages and to the practices of alchemy. For centuries, men pottered about their workshops blindly mixing ingredients and processes. Sometimes they came up with valid or at least useful mixtures, but they rarely knew why. It was never

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a science, for there were no overall principles, no overall standards. Even the best alchemist had few standards of knowledge. Then came something new, the rediscovery of Aristotle's methods and principles. Slowly alchemy was transformed into chemistry, a science. Logic, epistemological guidelines, controlled experimentation, and standard nomenclature made it possible to take the confusion of alchemy, rescue what was valid there and discard the irrational, the unproven, the contradictory. And these same principles pointed forward to new areas of discovery. They made it possible to separate valid knowledge from invalid.

Today, much of politics is but alchemy, a confusion of guesses, facts, hopes, assertions, traditions, and superstitions. Principles are required to bring consistency to this area, to show what to look for, to give a standard by which to seek and judge. Until recently, there was no such body of explicit, fully consistent philosophic principles to support the rights of man and the social system based upon these rights--capitalism. Just as alchemy found its Aristotle to rescue it from the Middle Ages, so now there is at last a philosopher to rescue ethics and its consequence, politics, from the Middle Ages. That philosopher is Ayn Rand.

Today, there is, in the philosophical writings of Ayn Rand, that fundamental body of principles which makes it possible to approach these questions, to examine the ramifications of forced service and come out with consistent, valid, scientific answers. At last we can hope to leave the Middle Ages behind--and that means leaving the draft behind.

When will this happen? Of course I cannot predict.

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I do not know how many books, studies, reports, articles and speeches will be necessary. But I can say this--any reasoned, principled study in permanent form is never wasted. Once on the record, it begins to touch other minds. Ideas properly based can only spread. There is one thing we must never forget. Forced service is wrong, existentially wrong. If you show this in all the essential contexts, that is all you need to do. Man is reasonable; he acts on the truth. What it comes down to is that we--or others like us--must formulate that knowledge, and the rest will follow. And that formulation is now possible because of the principles established by Ayn Rand. We can end this tribal-feudal-tyrannical institution--if we just put our minds to it.

--David J. Dawson

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REVIEWS

Medievalism:

Mr. Lippmann's Old Home Remedy

Essays in The Public Philosophy
by Walter Lippmann, The New American Library, New York, 1956 (paperback)

". . .the failure of the West may be such that freedom will be lost and will not be restored again except by another revolution." (p. 32)

With this warning, Walter Lippmann--well-known political news columnist, author of such books as *A Preface to Morals* and *The Communist World and Ours*, member of the Mt. Pellerin Society and, according to *Newsweek*, "one of America's leading political thinkers"--analyzes the causes and offers a remedy for the political and moral disintegration of the Western "liberal democracies" during this century.

It is Mr. Lippmann's contention that the fundamental cause of this decline is the failure of the Western democracies to defend and maintain the political philosophy on which the institutions of freedom were founded. This philosophy is, Lippmann tells us, *natural law:* "the idea that the rational faculties of men can produce a common conception of law and order which possesses a universal validity." (p. 81) This law "is 'natural' in the sense that it can be discovered by any rational mind, that it is not the willful and arbitrary positive command of the sovereign power." (p. 83)

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> Though there have been many schools in this philosophy, there are fundamental principles common to all of them: that, in Cicero's words, 'law is the bond of civil society,' and that all men, governors and the governed, are always under, are never above, laws.... (p. 123)

The idea of natural law, according to Lippmann, is over 2,000 years old. He reviews its history. First used by Alexander and later formulated by Zeno and the Stoics, it was applied in Roman law and by the Christian fathers. Later, it was "re-established and reworked by Saint Thomas Aquinas, and in a *new formulation*, after the Renaissance and Reformation, it provided the philosophy of the English Revolution of 1688 and of the American Revolution of 1776." (pp. 81-82, Italics mine) The same principles have been concretized in such documents as the Magna Carta and the Declaration of Independence. Further, this philosophy "was in part expounded in the Bill of Rights of 1689. It was re-enacted in the first ten amendments of the Constitution of the United States." (pp. 77-78)

Some of Mr. Lippmann's statements may sound like a renewal or revival of the Lockean philosophy of individual rights--the principle of a government of laws and not of men--which destroyed medieval tyrannical collectivism. But any pro-freedom, pro-individualist reader will be appalled at the way Mr. Lippmann uses the basic tenets of Locke's philosophy of rights to justify the very medieval ideas Locke refuted.

How does Mr. Lippmann do this? The first thing that will make the reader uncomfortable is Lippmann's choice of terminology. In referring to the philosophy which includes individual rights as its

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unique tenet, he does not mention *rights*. Instead, he speaks of "the public philosophy" or of "traditions of civility."

Discomfort turns to indignation when one discovers Mr. Lippmann's remedy for the predicament of Western man. The remedy he suggests is to revitalize the "public philosophy" which "predates the industrial revolution," and which he claims is contained in the philosophy underlying such documents as the Declaration of Independence and the U.S. Constitution. He states, however, that the success of the "revival" of the public philosophy "depends on whether this old philosophy can be reworked for the modern age." (pp. 123-124)

As reworked and updated by Lippmann, how does the public philosophy apply to the issues confronting modern man?

PRIVATE PROPERTY

> In the public philosophy an absolute right to property, or to anything else that affects men, cannot be entertained. (p. 90)
>
> The earth is the general property of all mankind. Private titles of ownership are assigned by law-making authorities to promote the grand ends of civil society. Private property is, therefore, a system of legal rights and duties. (p. 95)

FREEDOM OF SPEECH

> In the public philosophy, freedom of speech is conceived as the means to a confrontation of opinion. . . . Where confrontation is difficult, as in broadcasting, there is also an acceptance of the principle that some legal regulation is necessary. . . . When confronta-

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> tion is impossible, as in the moving picture, or in the so-called comic books, there will be censorship. (pp. 98, 101)
>
> When genuine debate is lacking, freedom of speech. . .has lost the principle which regulates it and *justifies* it. . . . (p. 99, Italics mine)
>
> What has been lost in the tumult is the meaning of the *obligation* which is involved in the right to speak freely. It is the obligation to subject the utterance to criticism and debate. (p. 98, Italics mine)

Thus, rights, in Lippmann's interpretation of the public philosophy, are never absolute. They are bestowed by the State and their justification rests in the good of society. He sees rights as a system of privileges and obligations. Speaking of a property-owner, he says: "He cannot be the sovereign lord of his possessions. . . . He *owes duties that correspond with his rights*. His ownership is a *grant* made by the laws to achieve not his private purposes but the common social purpose." (p. 93, Italics mine)

But liberty, in the Western tradition to which Lippmann refers, has meant that a man can exercise his private choices without interference, his only "obligation" being to respect the same liberty in his fellows. According to this tradition--embodied in the Bill of Rights, the Declaration of Independence and the writings of John Locke--rights are not limited but inalienable. They are possessed by individual men *because they are men* and are neither granted nor revoked by the State.

Since Mr. Lippmann equates the public philosophy

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with natural law, it must be noted that the meaning of natural law is itself ambiguous. There have been two major schools of this doctrine, the medieval and the Lockean. The medieval tradition holds that natural law is based on the moral order of society as derived from the will of God as interpreted and enforced by the Church, and that freedom is obtained through the subordination of individual and governmental decisions to this will. The Lockean school holds that natural law is based on man's own nature and that freedom is obtained through the recognition of man's nature; that is, the recognition of the fact that every man has certain inalienable rights.

Mr. Lippmann refers to both traditions, but it is the medieval version which dominates this book. In his references to natural law, he does not distinguish between the two, but includes the Lockean tradition as though it were contained in the medieval one. Though references to Locke and the Constitution are dutifully sprinkled here and there, Lippmann draws heavily from the medieval period for his references and illustrations. Moreover, his continuous use of such phrases as "the good life," "the good society," and "peace and order" emphasizes his concern for moral order. But it is his attitude toward the separation of Church and State that perhaps most identifies his thought as medieval.

> Because we are drawn between the two realms [the spiritual and the material], there can be no definitive line of demarcation of the orbits of the state and of the church. (p. 118) Church and state need to be separate, autonomous, and secure. But they must also meet on all the issues of good and evil. These issues arise concretely in the fixing of public policy about the family, marriage, divorce, the authority of

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> the father and of the mother, the guardianship of children, education, inheritance, the distribution of wealth, crime and punishment, standards of taste, loyalty and allegiance, righteous and unrighteous war. . . . In all these matters the final word is in neither of the two realms of being. There is in truth no final word. Instead there are the provisional points of equilibrium of an unending tension among variable elements. (p. 119)

What has happened? With the help of the tradition of individual freedom and inalienable rights, Mr. Lippmann is advocating "relative rights" limited by the State. Is the price of liberty to be the sacrifice of liberty? This is what Mr. Lippmann seems to be saying. But this is a contradiction.

And it is a result of a more fundamental contradiction. Lippmann is trying to combine freedom with the idea that the function of government is to serve the ends of "The People."

Who are "The People"? He is quite explicit.

> *The People* are a corporation, an entity that is to say, which lives on while individuals come into it and go out of it. . . . If we think of it in terms of individual persons, the corporate body of *The People* is for the most part invisible and inaudible. Indeed as a whole it is nonexistent, in that so many are dead and so many are not yet born. . . . This invisible, inaudible, and so largely nonexistent community gives rational meaning to the necessary objectives of government. If we deny it . . . where and what is the nation, and whose duty and business is it to defend the public interest? (p. 35, Italics his)

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What this means is that such freedom as an individual possesses he possesses by virtue of the fact that it serves the ends of "The People" of which he is one small part.

It is with the aid of this premise that Lippmann attempts to salvage the idea of freedom. A closer look at Mr. Lippmann's arguments will reveal what is in fact salvaged.

Mr. Lippmann contends that the free countries of the West have failed to cope with the problems of this century because an "obscure" revolution has been taking place. This revolution has affected the balance of power in these countries, which has become "deranged" because too much power has been centered in the hands of the people, at the expense of the executive powers of government.

Lippmann is concerned, he says, with mob-tyranny, with restoring a government "strong enough to guarantee private liberty against the pressure of the masses." (p. 53)

Traditionally, free countries have used the "balance of powers" as one mechanism for limiting mob rule in a representative government, and for protecting individual liberty by distributing government power, i.e., the powers of the executive, judicial, and legislative branches of government were separated.

Lippmann, however, contends that during the last century a "morbid derangement of the functions of power" has occurred: "The people have acquired power which they are incapable of exercising, and the governments they elect have lost powers which they must recover if they are to govern." (p. 19)

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> In fact, the powers which were ceded *by the executive* passed through the assemblies, which could not exercise them, to the mass of voters who, though unable also to exercise them, passed them on to the party bosses, the agents of pressure groups, and the magnates of the new media of mass communications. (p. 18, Italics mine)

And the result? According to Lippmann, "The unhappy truth is that the prevailing public opinion has been destructively wrong at the critical junctures. The people have imposed a veto upon the judgment of informed and responsible officials." (pp. 23-24)

Lippmann tells us that the executive function is to propose and act while the function of the representative assembly is to consent to or veto the executive decisions. The will of the majority (in so far as it is represented by the assembly) is thus limited to that of giving and withholding consent. It does not execute plans or make decisions.

Since the "obscure" revolution, however, the governed (the aggregate of citizens whose ideas are expressed through public opinion and who are represented by the assembly) have usurped the power of the government: the executive. This, Mr. Lippmann calls "the problem of the enfeebled executive," of "devitalized" or "impotent" government.

Now it is certainly the case that the executive's primary allegiance is to the law and not to the electorate--and that numbers do not make truth or right--and that the majority can threaten minority rights and that there should be safeguards against it.

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But is mob-tyranny Mr. Lippmann's real concern?

The crucial problem with the increasing power of the electorate, he tells us, is not that it is a threat to personal liberty, but that it tends to reflect *private* interests and is therefore not in the public interest. The trouble with public opinion is that it is too individualistic: "voters cannot be expected to transcend their particular, localized and self-regarding opinions. . . . In their circumstances, which as private persons they cannot readily surmount, the voters are most likely to suppose that whatever seems obviously good to them must be good for the country, and good in the sight of God." (p. 39)

> . . .while *The People* as a corporate body are the true owners of the sovereign power, The People, as an aggregate of voters, have diverse, conflicting, self-centered interests and opinions. A plurality of them cannot be counted upon to represent the corporate nation. (p. 37, Italics his)

Who can? The executive is the "virtual representative" of *The People* and therefore represents the true sovereign power. "Virtual representation" is a theory expounded by Burke which, Mr. Lippmann tells us, holds that "Those who do not vote because they lack the franchise, or cannot vote because they are infants or even unborn, are presumed to be represented by someone like the Pope, the king, the parliament, speaking in their name." (p. 36) Lippmann's example: "In the coronation of Charlemagne [800 A.D.], the Pope did this: he 'merely declared and exercised the people's will.'" (p. 37)

Notice the difference between the traditional meaning of "balance of powers" and Lippmann's use of this

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concept. The "powers" which are to be balanced are those of the "corporate" people, as represented by the executive branch of government, and individual citizens, as represented by the assembly and the voters.

This is a "balance of powers" between the ruler and the ruled.

Consider the nature of the "powers" involved. The governing power has, as Ayn Rand has pointed out, a monopoly on the legal use of force. The "power" of the electorate can be equated with this only in a "pure" democracy. There is a vast difference between the kind of power possessed by a U.S. citizen voting for his congressman and that of an Athenian citizen voting Socrates to his death. But Walter Lippmann does not draw this distinction.

Mr. Lippmann's concern here is to strengthen the governing powers and to limit or weaken the "powers" of those who are represented, whom he describes elsewhere as those "living persons who are governed, who must pay, who must work, who must fight and, it may be, die for the acts of the government." (p. 48)

If you are still wondering whether Mr. Lippmann really means it, consider his theory in practice. Just what sort of "destructive" powers have been gained by the aggregate of private citizens?

> The rule to which there are few exceptions . . . is that at the critical junctures, when the stakes are high, the prevailing mass opinion will impose what amounts to a veto upon changing the course on which the government is at the time proceeding. Prepare for war in time of peace? No. It is bad to raise

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> taxes, to unbalance the budget, to take men away from their schools or their jobs, to provoke the enemy. Intervene in a developing conflict? No. Avoid the risk of war. Withdraw from the area of the conflict? No. The adversary must not be appeased. Reduce your claims on the area? No. Righteousness cannot be compromised. Negotiate a compromise peace as soon as the opportunity presents itself? No. The aggressor must be punished. Remain armed to enforce the dictated settlement? No. The war is over. (p. 23)

What are the powers the executive has lost and should regain? These are the powers to make what Lippmann calls "hard decisions." "They are hard because the governors of the state must tax, conscript, command, prohibit; they must assert a public interest against private inclination and against what is easy and popular." (p. 15)

In order to "regain" the kind of power Mr. Lippmann feels the executive needs, one would have to return to papacy and monarchy, i.e., to pre-freedom history, for its sources.

> The other development which has acted to enfeeble the executive power is the growing incapacity of the large majority of the democratic peoples to believe in intangible realities. This has stripped the government of that *imponderable authority* which is derived from *tradition, immemorial usage, consecration, veneration, prescription, prestige, heredity, hierarchy*. . . . In a republic the governing power, being wholly secularized, loses much of its prestige; it is stripped, if one prefers, of all the *illusions of intrinsic majesty*." (pp. 49-50, Italics mine)

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Thus, in the name of restoring a constitutional balance of power--the traditional mechanism for protecting personal liberty-- Mr. Lippmann is advocating the destruction of personal liberty and the re-establishment of medieval social and moral order.

How does Walter Lippmann make the transition from seeming to honor the tradition of individual rights to the advocacy of anti-individualism? It is by means of unclarity. And this book abounds with it.

One example is the prevalent blurring of the line between the private and the public; or between morality and legality; or between persuasion and force. Consider the previously quoted passage on the relation of Church and State (p. 119), in which Lippmann lists areas of public policy which he finds in neither "realm of being." Or again: when Lippmann talks of the "public," he might be referring to that which is openly and widely discussed--or to that which is accepted by a consensus of rational men and therefore "objective"--or to that which is the concern of the State--or to an "imponderable" abstraction. He seems to combine these meanings in some places, and to slide from one to another in other places. Time after time, the reader is led through a maze of undefined implications usually concluding with a call for governmental coercion.

Lippmann speaks of freedom (using it in both psychological and political contexts) with equal abandon and clarifies the ideal he is purporting to champion in the following way: "The word 'freedom' has several meanings. [He gives us one each from Hobbes, Locke, and Montesquieu.] It is . . . impossible to choose one meaning, rejecting all the

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others, or, in fact, to come to rest in a conclusion which fixes a total meaning." (pp. 110-111) This quotation seems to reflect Lippmann's general attitude toward language and meaning.

> Words like liberty, equality, fraternity, justice, have various meanings which reflect the variability of the flux of things. The different meanings are rather like different clothes, each good for a season, for certain weather and for a time of day, none good for all times. . . . This is the human condition. (pp. 111-112)

And the human condition, according to this book, can only be improved by a moral order imposed by the State, and not by these changing ideas.

Why does Lippmann seem afraid to trust people with political freedom? It is because he shares the medieval premise that man's civilized nature is a precarious mask for his true nature--depravity. Man has to learn to rule over "what Saint Thomas Aquinas called . . . his 'irascible and concupiscible powers.' These powers of the organism, its first nature, are, as Cardinal Newman said, 'ever insurgent against reason.' . . . *They* are the appetites and instincts of the natural man." (pp. 106-107, Italics his)

The principles of "the good society," require, according to Lippmann, "the mastery of human nature in the raw by an acquired rational second nature. In the literal sense, the principles of the good society must be unpopular until they have prevailed sufficiently to alter the popular impulses. For the popular impulses are opposed to public principles." (p. 136)

If the public philosophy is inevitably in conflict

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with human nature, how does Mr. Lippmann suppose it will ever be accepted? He answers, "Within limits that we have not measured, human nature is malleable." (p. 74)

Lippmann has warned us that the West is declining--that freedom is at stake. As one of today's most influential political spokesmen, he is having his share in its destruction. Disguised in the libertarian ideals of natural law and the balance of powers, he is advocating medievalism.

But we may take heart, for freedom does not die easily. As Mr. Lippmann complains, "The modern trouble is in a low capacity to believe in precepts which restrict and restrain private interests and desire." (p. 88) To a medievalist, of course, Thomas Jefferson and the Founding Fathers *would* seem modern.

--Judith Kroeger

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